

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

CHERYL JANKY,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 3:05-CV-217 AS
)	
HENRY FARAG, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER AND OPINION

On April 12, 2005, this copyright infringement action was transferred from the United States District Court for the Eastern District of Michigan. On May 23, 2005, Plaintiff filed a motion for change of venue pursuant to 28 U.S.C. § 1404(a), requesting that this Court transfer this case to the Hammond division. On June 9, 2005, Plaintiff again filed a motion for change of venue. For the following reasons, Plaintiff's first motion [Doc. No. 21] is **GRANTED** and Plaintiff's second motion [Doc. No. 23] is **DENIED AS MOOT**.

28 U.S.C. § 1404(a) states that:

for the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought.

The facts reveal that this case has no connection to the South Bend division. Rather, the Plaintiff resides in Hammond, Indiana, and the Defendants are located in Merrillville, Indiana, which is approximately fifteen miles from Hammond. Furthermore, numerous witnesses are located in Hammond. Defendant Lake County Convention and Visitors Bureau does not object to the transfer. Consequently, because it is more convenient for the parties and witnesses involved in this case, and because this case could have originally been brought in the Hammond

division, this Court **GRANTS** Plaintiff's motion for change of venue [Doc. No. 21]. This case shall be **TRANSFERRED** to the Hammond division. Because Plaintiff's second motion appears virtually identical to Plaintiff's first motion, Plaintiff's second motion [Doc. No. 23] is **DENIED AS MOOT**. Any previously scheduled hearings in this case are hereby **VACATED**.

SO ORDERED.

Dated this 14th Day of June, 2005.

s/Christopher A. Nuechterlein
Christopher A. Nuechterlein
United States Magistrate Judge